HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.3346 OF 2007

Between:

Budati Dheerendranath Babu and another

…Petitioners

AND

The Government of Andhra Pradesh,
Rep., by its Secretary, Municipal Administration,
Secretariat, Hyderabad and four others

...Respondents

: O R D E R :

Counsel for the petitioners : Shri V. Ajaya Kumar

Counsel for respondent No. 2 : Shri S. Nageswara Reddy

22nd February, 2007

Per G.S.SINGHVI, CJ

In this petition, the petitioners have prayed for issue of a mandamus to respondent No. 2 to take action against the illegal construction being raised by respondent Nos. 4 and 5 in premises bearing municipal No.20-10-22, Padavalavari Street, Chirala, Prakasam District.

We have heard Shri V. Ajaya Kumar and perused the record.

In our opinion, it is not necessary to issue formal notice, because we feel that ends of justice will be met by directing respondent No. 2 to consider representation dated 12-2-2007 made by the petitioners against the construction being raised by respondent Nos. 4 and 5 and decide the same within ten days from the date of receipt of copy of this order. If respondent No. 2 comes to the conclusion that the construction being raised by respondent Nos. 4 and 5 has not been sanctioned by the competent authority of the municipality or the same is in violation of the sanctioned plan, then the officer concerned shall take appropriate action in accordance with law after giving notice and opportunity of hearing to respondent Nos. 4 and 5.

The writ petition is disposed of in the manner indicated above.

As a sequel to disposal of the writ petition, WPMP Nos. 4267 and 4268 of 2007 filed by the petitioners are disposed of as infructuous.

G.S. SINGHVI, C.J.

C.V. NAGARJUNA REDDY, J.

22nd February, 2007
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